

VZCZCXRO5736
RR RUEHBZ RUEH DU RUEHJO RUEHMR RUEHRN
DE RUEHLU #1305 3621604
ZNR UUUUU ZZH
R 281604Z DEC 06
FM AMEMBASSY LUANDA
TO RUEHC/SECSTATE WASHDC 3556
INFO RUCNSAD/SOUTHERN AFRICAN DEVELOPMENT COMMUNITY

UNCLAS LUANDA 001305

SIPDIS

SENSITIVE
SIPDIS

E.O. 12958: N/A

TAGS: [PGOV](#) [PREL](#) [KDEM](#) [PHUM](#) [AO](#)

SUBJECT: ANGOLA: UPDATE ON PADEPA - FIGHTING ITS SENTENCING

REFTEL: LUANDA 01196

¶1. (SBU) Summary. As noted in reftel, 27 members of PADEPA (Democratic Support and Progress Party) were arrested and then heavily fined for their roles in a protest march. A leading local NGO, Maos Livres, has appealed the fines and petitioned the Supreme Court to remove the judge in question for overstepping his judicial authority. While the case is still pending, the rapid action by the judge and the relatively heavy fines applied could dampen the enthusiasm of opposition groups to challenge the government. End summary.

¶2. (SBU) The president of local human rights NGO Maos Livres Carlos Leitao told P/E chief that Maos Livres has petitioned the Angolan Supreme Court to review the cases of the arrests of the twenty-six would-be demonstrators and of Party Secretary General Silva Cardoso for contempt of court. It is also charging that Judge Bento Damasio acted over-zealously, misinterpreting the scope of Angolan law, and with a politically motivated agenda in evaluating the cases. Maos Livres has also petitioned the Supreme Court to remove Damasio from office.

¶3. (SBU) Maos Livres feels confident that the Supreme Court will rule favorably on its behalf. It previously petitioned successfully to have a judge in Lunda Norte province removed from office whom Maos Livres claims had similarly overstepped the law in adjudicating a case. Background: As related in reftel, twenty PADEPA supporters were detained and jailed for intending to demonstrate in front of the French Embassy on November 09, 2006. During court proceedings, MAOS Livres alleges that the judge badgered defendants, prompting PADEPA Secretary General Cardoso to leave the court in protest at which point he was jailed for contempt of court. End Background.

¶4. (SBU) Carlos Leitao said that Maos Livres president David Mendes personally paid the fines of the twenty-six PADEPA party members who were sentenced to one month's prison for disturbing the peace. In addition, the judge sentenced PADEPA Secretary General Silva Cardoso to six months for contempt of court. Angolan law allows for any sentence of six months or less to be converted to a fine, thus the twenty-six were assessed fines of two thousand USD each and the Secy general a fine of three thousand USD. If the Supreme Court rules in favor of Maos Livres/PADEPA, the money paid in fines will be returned.

¶3. Comment: While the initial arrest generated some media interest, the furor has died down. PADEPA and Maos Livres allege that the fines levied, totaling USD 55,000, are excessive given Angola's relatively low per capita GDP. They also allege that the judge overstepped his legal authority in the manner in which he questioned and sentenced the defendants. The GRA argues that the individuals broke the law and received punishment within the letter of the law. However, the alacrity of the GRA response and the relative severity of the fines may make other opposition groups think twice before attempting similar protests against the government. End Comment.
FERNANDEZ